

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Application No.:** 10/766,965  
**Date Filed:** January 29, 2004  
**Title:** SYSTEM AND METHOD FOR AVOIDING TRANSACTION  
COSTS ASSOCIATED WITH TRADING ORDERS  
**Applicants:** Thomas J. DALEY, et al.  
**Group Art Unit:** 3696  
**Confirmation No.:** 4387  
**Examiner:** Gerald C. Vizvary

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the patentability of this application, and in respect of which, there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as (i) a representation that a thorough search has been made; (ii) an admission that the information cited is, or is considered to be material to patentability; (iii) an admission that no other material information exists; or (iv) an admission that Applicants agree with any statement(s) in the information cited. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98. The items listed on the accompanying PTO Form-1449 may be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application.

The Examiner is respectfully requested to fully consider the items listed on the enclosed PTO Form-1449, to independently ascertain their teaching, and to initial beside each reference listed. Please return a copy of the initialed citation form to the Applicants' undersigned representative.

### Fees

No fee is believed to be due under 37 C.F.R. § 1.17(p) for this Information Disclosure Statement since it is being filed pursuant to 37 C.F.R. § 1.97(c) and is in compliance with 37 C.F.R. § 1.97(e)(1). Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, namely:

Supplementary European Search Report for Application No. 05712562.7; July 28, 2008 (2 pages).

Supplementary European Search Report for Application No. 05712563.5; July 28, 2008 (2 pages).

No fee is believed to be due under 37 C.F.R. § 1.17(p) for this Information Disclosure Statement since it is being filed pursuant to 37 C.F.R. § 1.97(c) and is in compliance with 37 C.F.R. § 1.97(e)(2). No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of applicants after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement, namely:

USPTO Office Action for Application No. 10/767699, July 22, 2008 (13 pages).

In the event that a fee is determined to be due, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-3938.

Respectfully submitted,

September 23, 2008

Date

/Ruth J. Ma/  
Ruth J. Ma  
Attorney for Assignee  
PTO Registration No. 55,414  
(857) 413-2056 / phone  
rma@cantor.com